

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:00CR3092-1
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
vs.	)	
	)	
MIGUEL RODRIGUEZ,	)	
	)	
Defendant.	)	

Inasmuch as Defendant has neither withdrawn his § 2255 motion nor filed an amended § 2255 motion within the time allowed by the court,

IT IS ORDERED that:

1. Defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (filing 90) is denied because it was not filed within one year after Defendant's conviction became final.
2. A final judgment of dismissal shall be entered by separate document.

February 10, 2006.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge